

**REMARKS**

Claims 1 and 2 are pending in the application. Reexamination and reconsideration are respectfully requested.

In the Office Action, the Examiner rejected claims 1 and 2 under 35 U.S.C. section 112, first paragraph, as allegedly containing subject matter, specifically a “rigidity factor”, that is not sufficiently described in the specification. Claims 1-2 were also rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite, also due to the term “rigidity factor”. Applicant respectfully traverses these rejections.

Applicant submits that the term “rigidity factor” is clearly defined in the specification. Indeed, at page 9, line 20 (start of last paragraph) to page 10, line 6 (end of the paragraph) the meaning of the rigidity factor is specifically given.

In particular, the “rigidity factor” is defined as a ratio  $R/C_r$ , where “R” represents the rigidity, expressed as  $[kN \cdot m/deg]$ , of the wheel supporting rolling bearing unit, and “ $C_r$ ” represents the radial dynamic rated load  $C_r$  [N] of the wheel supporting rolling bearing unit. The rigidity is next described with respect to the invention as being represented by the inclination angle between both raceway rings in a particular situation where a moment load is loaded to the rotary side raceway ring. As explained in the specification, “R” can be measured, for example, with the apparatus of Fig. 12 (“...Fig. 12 shows the condition in

which the rigidity  $R$  of the wheel supporting rolling bearing unit 2a shown in above Fig. 11 is measured.”). Details of the measuring operation for “ $R$ ” are stated from page 10, line 7 (start of first full paragraph) to page 12, line 3 (end of paragraph).

Thus, applicant maintains that the specification presents a clear description of the “rigidity factor”, as well as of “ $R$ ” and “ $Cr$ ”. It is a ratio that can be used, if its value is set properly, for improved vehicle control while maintaining the rigidity of the wheel supporting rolling bearing unit.” (specification, pg. 12, 2<sup>nd</sup> full paragraph, where for example, “the rigidity factor is set to 0.09 or more” to achieve desired results).

In view of the foregoing, Applicants respectfully submit the specification and claims are in compliance with the strictures of 35 U.S.C. §112.

While applicant respectfully submits that the above satisfactorily responds to the rejections and the objection of the Office Action, applicant further notes that the measuring method of “ $R$ ”, as described, is well within the bounds of common sense for one of ordinary skill in the art. Applicant also notes that the radial dynamic rated load, “ $Cr$ ”, is well known in the technical field of this invention, and a specific value of “ $Cr$ ” can be found by reference to general textbooks on bearings. For example, it is common knowledge in the technology that a bearing having a large “ $Cr$ ” generally has a large size.

Thus, applicant submits that one of ordinary skill in the art of bearings would be very familiar with the “rigidity” characteristic of a bearing assembly, as

well as would appreciate bearing designs offered for improved rigidity that make use of a defined rigidity factor as described in the present application.


In view of the above, applicant submits that the "rigidity factor" is sufficiently defined and described in the Specification so as to reasonably convey its meaning and use in the context of the present application to one of ordinary skill in the art. Accordingly, applicant respectfully requests that the rejection and objection be withdrawn and the application proceed to issue.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #038922.55989US).

Respectfully submitted,

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